

[PUBLISH]

IN THE UNITED STATES COURT OF APPEALS

FOR THE ELEVENTH CIRCUIT

No. 05-14631

FILED U.S. COURT OF APPEALS ELEVENTH CIRCUIT September 30, 2008 THOMAS K. KAHN CLERK

D.C. Docket No. 03-00083-CR-CDL-5

UNITED STATES OF AMERICA,

Plaintiff-Appellee,

versus

EDDIE MILTON GAREY, JR.,
a.k.a. Miles Garey,
a.k.a. Milton Garey,
a.k.a. Eddie Garey,

Defendant-Appellant.

On Appeal from the United States District Court
for the Middle District of Georgia

(September 30, 2008)

BEFORE: EDMONDSON, Chief Judge, and TJOFLAT, ANDERSON, BIRCH,
DUBINA, BLACK, CARNES, BARKETT, HULL, MARCUS, WILSON and
PRYOR, Judges.

BY THE COURT:

The en banc Court having issued its opinion in this appeal, addressing the
issue of Appellant's waiver of counsel, Appellant's sentencing issues are remanded
back to the panel for resolution.

The mandate shall not issue until the sentencing issues are resolved by the
panel.